



**GENERAL CONDITIONS FOR PRETRIAL DIVERSION**

1. You shall not violate any law (federal, state and local). You shall immediately contact your Pretrial supervisor if arrested and/or questioned by any law enforcement officer.
2. You shall attend school or work regularly at a lawful occupation or otherwise comply with the terms of the special program described below. If you lose your job or are unable to attend school, you shall notify your Pretrial supervisor at once. You shall consult him/her prior to job or school changes. (*currently applied for Disability*) *FL*
3. You shall continue to live in this Judicial District. If you intend to move out of this district, you shall inform your Pretrial supervisor so that the appropriate transfer or program responsibility can be made.
4. You shall report to your Pretrial supervisor as directed and keep him/her informed of your whereabouts.
5. You shall follow the program and such special conditions as may be described below;

**SPECIAL CONDITIONS**

1. You shall not be employed in a position involving medical billing; and
2. During the term of pretrial diversion, you shall make monthly restitution payments (based upon your financial ability) towards the total restitution loss of \$84,376 to the State of California Health Care Deposit Fund. Payments are to be made to a pre-arranged account at the Clerk's office, 4<sup>th</sup> floor, U.S. District Court, as arranged by the AUSA and as directed by pretrial services agency. Although total payment restitution shall not be a requirement for successful completion of pretrial services diversion, monthly payments towards restitution shall be a requirement nonetheless.

I assert and certify that I am aware of the fact that the Sixth Amendment to the Constitution of the United States provides that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial. I also am aware that Rule 48(b) of the Federal Rules of Criminal Procedure provides that the Court may dismiss an Indictment, Information, or Complaint for unnecessary delay in presenting a charge to the Grand Jury, filing an Information or in bringing a defendant to trial. I hereby request the Assistant U. S. Attorney for the Eastern District of California to defer such prosecution. I agree and consent that any delay from the date of this Agreement to the date of initiation or prosecution, as provided for in the terms expressed herein, shall be deemed to be a necessary delay at my request and shall be excludable time pursuant to the Speedy Trial Act (128 USC Section 3161). In addition, I waive any defense to such prosecution on the ground that such delay operated to deny my rights under Rule 48(b) of the Federal Rules of Criminal Procedure, the Speedy Trial Act, or the Sixth Amendment to the Constitution of the United States to a speedy trial or to bar the prosecution by reason of the running of the statute of limitations for a period of months equal to the period of this Agreement.

L. M. G. Neal  
SIGNATURE OF DIVERTEE

5-10-06  
DATE

Bruce Locke  
ATTORNEY

5/23/06  
DATE

Sh. W. W. W.  
ASSISTANT U. S. ATTORNEY

7-26-06  
DATE

G. J. Fawcett  
PRETRIAL SERVICES OFFICER

8/7/06  
DATE

W. J. F. (S. J.)  
JUDGE OR JUDGE MAGISTRATE\*

8/10/2006  
DATE

\*To be approved by the Court if some form of charging document has been filed or if the Divertee has been arrested.